

**UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY**

LUIS OSARIO,	:	
	:	
Petitioner,	:	Civ. No. 15-7835 (RBK)
	:	
v.	:	
	:	
MR. KIRBY, Warden,	:	MEMORANDUM AND ORDER
	:	
Respondent.	:	
	:	

Petitioner was previously a federal prisoner incarcerated at F.C.I. Fairton, in Fairton, New Jersey. He is proceeding *pro se* with a petition for writ of habeas corpus pursuant to 28 U.S.C. § 2241. Petitioner is challenging the Federal Bureau of Prisons’ (“BOP”) decision with respect to the length of time he is to be placed in a residential re-entry center (“RRC”).

Respondent states that petitioner was placed into an RRC on August 2, 2016. Thus, according to respondent, his habeas petition which sought additional time in an RRC may be moot. *See Buczek v. Mariorana*, 526 F. App’x 153-54 (3d Cir. 2013) (habeas petition that alleged that date of his placement into RRC was inconsistent with Second Chance Act rendered moot by petitioner’s placement into RRC). Therefore, petitioner shall be ordered to show cause why his habeas petition should not be dismissed as moot.

Accordingly, IT IS this 29th day of August, 2016,

ORDERED that petitioner shall show cause within twenty-one (21) days of the date of this Order why his habeas petition should not be dismissed as moot because he has been placed into an RRC; and it is further

ORDERED that petitioner’s failure to respond to this Order within twenty-one (21) days may result in dismissal of this action; and it is further

ORDERED that respondent may file a reply to petitioner's response within fourteen (14) days after petitioner files his response; and it is further

ORDERED that the Clerk shall serve this Order on petitioner by regular U.S. mail.

s/Robert B. Kugler
ROBERT B. KUGLER
United States District Judge